

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WISCONSIN
MADISON DIVISION**

IN RE:	CASE NO. 19-13866
Bradley D. Dillman	CHAPTER 13
Debtor.	Chief Judge Catherine J. Furay

**MOTION OF WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE OF THE
RESIDENTIAL CREDIT OPPORTUNITIES TRUST V-C FOR RELIEF FROM THE
AUTOMATIC STAY AND CO-DEBTOR STAY REGARDING PROPERTY LOCATED
AT 5309 PORTSMOUTH WAY, MADISON, WI 53714**

Wilmington Savings Fund Society FSB, as Trustee of the Residential Credit Opportunities Trust V-C, the current mortgagee of record, its successors, servicing agents and/or assignees (hereinafter, collectively and at all times material hereto called, the “Movant”) through its attorneys, Sottile & Barile, LLC, hereby moves the Court for an order for relief from the automatic stay and co-debtor stay pursuant to 11 U.S.C. §362, 1301 and alleges as follows:

1. The Movant holds a promissory note and mortgage encumbering real property owned by the Debtor and co-debtor and located at 5309 Portsmouth Way, Madison, WI 53714. A copy of the note, mortgage and any other pertinent loan documents attesting to this is attached hereto and incorporated herein by reference.
2. Since the commencement of this case, post-petition mortgage payments have not been received as required by the terms of the plan in this case and the Movant’s records reflect the following post-petition arrearage as accrued to date. The default is in the

amount of \$3,876.81 which corresponds to the months of December 1, 2019 through February 1, 2020. Each payment is in the amount of \$1,242.57 and there is a late charge balance of \$149.10.

3. The default in payments constitutes “cause” for terminating the automatic stay.
4. That as of February 26, 2020, the total amount due to the Movant was approximately \$292,205.51 in addition to any fees and costs for the filing of this motion.
5. That there is no equity in the property over and above the liens of the secured creditors, the exemptions claimed by the debtor, unpaid real estate taxes and other liens of record. The Debtor’s Schedule A value is \$285,100.00. The lack of equity in the Property, which is unnecessary for an effective reorganization, entitles the Movant to relief from the automatic stay under 11 U.S.C. §362(d)(2).
6. Movant seeks relief from both the automatic stay and the co-debtor stay as there is a non-filing co-debtor on the account, Kathleen A. Dillman.
7. The failure of the Debtor to make payments to the Movant per the terms of the note and mortgage has resulted in the loss of adequate protection of the Movant’s interest in the Property. This further entitles Movant to relief from the automatic stay.

WHEREFORE, the Movant requests that the automatic stay and co-debtor stay be terminated pursuant to 11 U.S.C. §§362(d) and 1301 so that the Movant may protect, exercise and enforce its rights pursuant to said note and mortgage, that any order entered pursuant to this Motion be effective immediately upon its entry, waiving the 14-day stay pursuant to Federal Rule of Bankruptcy Procedure 4001(a)(3) and for such further relief as may be just and equitable.

Dated this 2nd day of March 2020.

SOTTILE & BARILE, LLC
Attorneys for Movant

/s/ Jon Lieberman
Jon Lieberman (OH 0058394)
Sottile and Barile, Attorneys at Law
394 Wards Corner Road, Suite 180
Loveland, OH 45140
Phone: (513) 444-4100
bankruptcy@sottileandbarile.com

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WISCONSIN
MADISON DIVISION

IN RE:

CASE NO. 19-13866

Bradley D. Dillman

CHAPTER 13

Debtor.

Chief Judge Catherine J. Furay

**NOTICE OF MOTION OF WILMINGTON SAVINGS FUND SOCIETY, FSB, AS
TRUSTEE OF THE RESIDENTIAL CREDIT OPPORTUNITIES TRUST V-C FOR
RELIEF FROM THE AUTOMATIC STAY AND CO-DEBTOR STAY REGARDING
PROPERTY LOCATED AT 5309 PORTSMOUTH WAY, MADISON, WI 53714**

Wilmington Savings Fund Society FSB, as Trustee of the Residential Credit Opportunities Trust V-C ("Movant") has filed papers for Relief from the Automatic Stay and Co Debtor Stay.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult with one.

If you do not want the Court to grant the relief requested, or if you want the Court to consider your views on this motion, then **within fourteen (14) says of the filing date indicated on this Notice**, you or your attorney must file with the Court a written response explaining your position and requesting a hearing at

Office of the Clerk of Court
Western District of Wisconsin
120 North Henry Stret
Madison, WI 53703-2559

If you mail your response to the court for filing, you must mail it early enough so the court will RECEIVE it **within fourteen (14) days** of the date of this notice.

You must also mail a copy to:

Jon Lieberman
Sottile and Barile, Attorneys at Law
394 Wards Corner Road, Suite 180
Loveland, OH 45140
Counsel for Movant

Mark Harring
131 W. Wilson Street, Suite 1000
Madison, WI 53703-3260
Chapter 13 Trustee

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Dated this 2nd day of March 2020.

SOTTILE & BARILE, LLC
Attorneys for Movant

/s/ Jon Lieberman
Jon Lieberman (OH 0058394)
Sottile and Barile, Attorneys at Law
394 Wards Corner Road, Suite 180
Loveland, OH 45140
Phone: (513) 444-4100
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**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WISCONSIN
MADISON DIVISION**

IN RE:

CASE NO. 17-14240

Bradley D. Dillman

CHAPTER 13

Debtor.

Chief Judge Catherine J. Furay

CERTIFICATE OF SERVICE

The undersigned certifies that on 3/2/2020, a true and correct copy of the foregoing Notice of Motion and Motion for Relief from Stay and Co Debtor Stay was served upon the following:

By ECF:

John P. Driscoll
Krekeler Strother, S.C.
2901 West Beltline Highway, Suite 301
Madison, WI 53713
Counsel for the Debtor

Mark Harring
131 W. Wilson Street, Suite 1000
Madison, WI 53703-3260
Chapter 13 Trustee

U.S. Trustee's Office
780 Regent Street, Suite 304
Madison, WI 53715

By U.S. Mail:

Bradley D. Dillman
5309 Portsmouth Way
Madison, WI 53714

Kathleen A. Dillman (Wopat)
131 W. Richards Rd
Cottage Grove, WI 53527

Dated this 2nd day of March 2020.

SOTTILE & BARILE, LLC
Attorneys for Movant

/s/ Jon Lieberman
Jon Lieberman (OH 0058394)
Sottile and Barile, Attorneys at Law
394 Wards Corner Road, Suite 180
Loveland, OH 45140
Phone: (513) 444-4100
bankruptcy@sottileandbarile.com

Label Matrix for local noticing

0758-3

Case 3-19-13866-cjf

Western District of Wisconsin

Madison

Mon Mar 2 12:59:09 CST 2020

FCI Lender Services

PO Box 28720

Anaheim, CA 92809-0157

Bradley D. Dillman

5309 Portsmouth Way

Madison, WI 53714-2701

Michelle R. Ghidotti

The Law Offices of Michelle Ghidotti

1920 Old Tustin ave.

Santa Ana, CA 92705-7811

John P. Driscoll

Krekeler Strother, S.C.

2901 West Beltline Highway

Suite 301

Madison, WI 53713-4228

Gray & Associates

16345 W. Glendale Drive

New Berlin, WI 53151-2841

Mark Harring

131 W. Wilson Street, Suite 1000

Madison, WI 53703-3260

IRS - Centralized Insolvency Operations

P.O. Box 7346

Philadelphia, PA 19101-7346

Internal Revenue Service

Bankruptcy Notices

P.O. Box 7346

Philadelphia, PA 19101-7346

(p)JEFFERSON CAPITAL SYSTEMS LLC

PO BOX 7999

SAINT CLOUD MN 56302-7999

Office of the United States Trustee

780 Regent Street

Suite 304

Madison, WI 53715-2635

Secretary of Treasury

Treasury Department

1500 Pennsylvania Avenue N.W.

Washington, DC 20220-0001

Securities and Exchange Commission

175 West Jackson Boulevard

Suite 900

Chicago, IL 60604-2908

Sieg Law Offices

Attorney Dennis J. Sieg

4710 E. Broadway, Ste. 110

Madison, WI 53716-4101

U.S. Trustee's Office

780 Regent Street, Suite 304

Madison, WI 53715-2635

(p)U S ATTORNEY'S OFFICE FOR THE WESTERN DIS

ATTN ESA ANZIVINO

222 WEST WASHINGTON AVENUE

SUITE 700

MADISON WI 53703-2775

United States Treasury

Internal Revenue Service

P.O. Box 7346

Philadelphia, PA 19101-7346

Wilmington Savings Fund Society

c/o Planet Home Lending

321 Research Parkway, Suite 303

Meriden, CT 06450-8342

Wilmington Savings Fund Society, FSB

AMIP Management, LLC

3020 Old Ranch Parkway, Suite 180

Seal Beach, CA 90740-2799

Wisconsin Department of Revenue

Special Procedures Unit

P.O. Box 8901

Madison, WI 53708-8901

Wisconsin Department of Revenue

ATTN: Bankruptcy Unit, MS 5-144

P.O. Box 8901

Madison, WI 53708-8901

Wisconsin Dept. of Workforce Development

Workers' Compensation

P.O. Box 7948

Madison, WI 53707-7948

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Jefferson Capital Systems, LLC

PO Box 7999

St Cloud, MN 56302-9617

US Attorneys Office for the Western

District of Wisconsin

222 West Washington Avenue

Suite 700

Madison, WI 53703

End of Label Matrix

Mailable recipients 21

Bypassed recipients 0

Total 21